

Raymond E. Brenneman (CA Bar. No. 333699)
BRENNEMAN APC
1901 Avenue of the Stars, Suite 200
Los Angeles, California 90067
Phone: (310) 870-8088
Email: raymond@brennemanlegal.com

Attorney for Plaintiff
GREGORY ALAN FOSTER

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

GREGORY ALAN FOSTER, an Individual;

Plaintiff,

vs.

PUMA NORTH AMERICA, INC., a Delaware corporation; MBI ENTERPRISES LLC, a North Carolina limited liability company; MELO LAFRANCE BALL, an Individual; BIG BALLER BRAND, INC., a California corporation; LAVAR BALL, an Individual; TINA BALL, an Individual; and DOES 1 through 10, inclusive,

Defendant(s).

Case No.: 2:23-CV-9372-FLA-SK

**NOTICE OF MOTION AND MOTION
FOR SUMMARY JUDGMENT;
MEMORANDUM OF POINTS AND
AUTHORITIES; SEPARATE
STATEMENT OF UNDISPUTED
MATERIAL FACTS; DECLARATION OF
GREGORY ALAN FOSTER;
[PROPOSED] ORDER**

Judge: Hon. Fernando Aenlle-Rocha

Date: August 15th, 2025

Time: 1:30 p.m.

Courtroom: 6B

PLEASE TAKE NOTICE, that on August 15th, 2025 at 1:30 p.m., or as soon thereafter as counsel may be heard, in the courtroom of the Honorable Fernando Aenlle-Rocha, Plaintiff, GREGORY ALAN FOSTER ("Foster"), will move this Court for Summary Judgment against Defendant, BIG BALLER BRAND, INC. ("BBB Inc."), pursuant to Fed. R. Civ. P. 56, Local Rule 56-1, and this Court's Initial Standing Order [Dkt. 11].

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1 This Motion is made pursuant to Fed. R. Civ. P. 56 on the grounds that summary judgment
2 must be granted if all the papers submitted show that there is no triable issue as to any material fact
3 and that the moving party is entitled to judgment as a matter of law.

4 That as a matter of law, there is no genuine issue of a material fact concerning the following:

5 a. the Trademark Assignment filed by Big Baller Brand, Inc. with the U.S. Patent and
6 Trademark Office (USPTO) on June 7th, 2020 bearing File No. 900552651 regarding the trademarks
7 bearing the Registration Nos. 5848020, 5313771, and 5430119 was fraudulently filed;

8 b. the agreement entitled “Assignment of Trademark” dated June 4, 2020 between Big
9 Baller Brand LLC and Big Baller Brand, Inc. is invalid;

10 c. Gregory Alan Foster, Tina Ball, and LaVar Ball possess equal, one-third ownership
11 interests in the trademarks bearing USPTO Registration Nos. 5470715, 5313742, 5540691,
12 5848020, 5313771, and 5430119; and

13 d. Big Baller Brand, Inc. has retained profits from its use of USPTO Registration Nos.
14 5470715, 5313742, 5540691, 5848020, 5313771, and 5430119 which have not been distributed to
15 Gregory Alan Foster.

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17 This motion is based upon this Notice of Motion and Motion for Summary Judgment, the
18 attached Memorandum of Points and Authorities, the Separate Statement of Undisputed Material
19 Facts, and the Declarations in Support thereof. This motion is further based upon the pleadings and
20 files herein, and such matters as the court may take judicial notice of.

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22 This motion is made following the conference of counsel pursuant to L.R. 7-3 which took
23 place on April 9, 2025.

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1 WHEREFORE, Gregory Alan Foster hereby moves this Court to enter judgment against Big
2 Baller Brand, Inc. pursuant to Fed. R. Civ. P. 56, and hereby moves this Court to issue an Order:

- 3 A. Rescinding the Trademark Assignment filed by Big Baller Brand, Inc. with the U.S. Patent
4 and Trademark Office (USPTO) on June 7th, 2020 bearing File No. 900552651 regarding the
5 trademarks bearing the Registration Nos. 5848020, 5313771, and 5430119;
- 6 B. Declaring the agreement entitled “Assignment of Trademark” dated June 4, 2020 between
7 Big Baller Brand LLC and Big Baller Brand, Inc. to be void *ab initio* and of no legal force
8 or effect;
- 9 C. Declaring Gregory Alan Foster, Tina Ball, and LaVar Ball to possess equal, one-third
10 ownership interests in the trademarks bearing USPTO Registration Nos. 5470715, 5313742,
11 5540691, 5848020, 5313771, and 5430119;
- 12 D. Permanently enjoining Big Baller Brand, Inc. from infringing or diluting the trademarks
13 bearing USPTO Registration Nos. 5470715, 5313742, 5540691, 5848020, 5313771, and
14 5430119;
- 15 E. Requiring an accounting of Big Baller Brand, Inc.’s profits related to its use of USPTO
16 Registration Nos. 5470715, 5313742, 5540691, 5848020, 5313771, and 5430119, for the
17 purpose of awarding Gregory Alan Foster monetary damages based on Big Baller Brand
18 Inc.’s profits;
- 19 F. Awarding attorney fees and costs;
- 20 G. Requiring Big Baller Brand, Inc., its agents, employees, successors, and all persons acting in
21 concert with it who receive notice of this Order and who have possession, custody, or
22 control of any records, assets, or other property of Big Baller Brand, Inc. to comply with this
23 Order; and

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1 H. Granting any and all other relief that this Court deems just and proper.
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5 DATED: June 26th, 2025
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7 Respectfully Submitted,

8 **BRENNEMAN APC**
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10 By: Raymond Brenneman
11 Raymond E. Brenneman, Esq.
12 Attorney for Plaintiff
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